

REMARKS

Status of the claims:

Claims 1-9 are pending and ready for action on the merits.

Drawing Objections

The Examiner has objected to Figure 1 as labeling only three of the seven regions in figure 1. Attached to this response, please find a new drawing of Figure 1 with the seven regions all completely labeled. The written description has also been amended to incorporate what these regions are. No new matter has been incorporated by this amendment. The amendment has full support from the description of one of the embodiments in the prior art as is described on page 2, line 18 et seq. of the written description. Withdrawal of this objection is respectfully requested.

The Examiner also states in the Communication of March 29, 2001 that "Figure 1 is stated as being "a diagram sic:side view?] showing how regrowth proceeds on a pattern according to the prior art."" The Applicants have amended this phrase to recite "a cross-sectional view showing how regrowth proceeds on a pattern according to the prior art." It is believed that the phrase, as it now appears, is now both unambiguous and

accurately describes the Figure. Withdrawal of this objection is respectfully requested.

The Examiner has also objected to the failure to provide drawings of any embodiments of the current invention.

35 USC §113 states

*The applicant shall furnish a drawing **where necessary** for the understanding of the subject matter sought to be patented. . .*

The Applicants assert that no drawings are necessary to understand the invention and that one of skill in the art would understand the invention without the presence of drawings of the embodiments of the invention. However, for the Examiner's convenience, and so that the Examiner may better understand the invention, the Applicants are providing two drawings. Figure 3A is a cross-sectional view of a semiconductor employing the method of growing crystals according to the prior art, as is enumerated on page 7, lines 11-17 of the written description. Figure 3B is a cross-sectional view of a semiconductor employing the method of growing crystals according to the instant invention giving the semiconductor as is claimed in claim 2. Withdrawal of this objection is respectfully requested.

Written Description Objections:

The Examiner has objected to the disclosure as being so incomplete and not in accordance with US Patent prosecution

practice as to preclude a reasonable review of the application and search of the prior art by the Examiner. The Examiner has also submitted a requirement saying that the Applicant is required to submit a substitute specification excluding claims. The Applicants must respectfully, although vigorously, disagree that the specification is so incomplete as to preclude a reasonable review and examination of the application. The Applicants believe that the instant Application is in full compliance with 35 USC §111 as well as standard prosecution practice. The Applicants contend that the invention is adequately described so that one of ordinary skill in the art would be immediately apprised of what constitutes prior art and what is the invention. Further, it is believed that the application is in sufficiently good form so that a reasonable and complete examination of the application can occur.

However, if the Examiner is aware of further deficiencies that need to be corrected, the Examiner is invited to indicate specifically where such deficiencies occur, and the Applicants will address them at that time. However, it is believed that the Application as it now stands is sufficient so that one of skill in the art would understand the invention. Accordingly, withdrawal of the objection is not only warranted, but also respectfully requested.

With the above remarks and amendments, it is believed that the claims, as they now stand, define patentable subject matter such that a passage of the instant invention to allowance is warranted. A Notice to that effect is earnestly solicited.


If any questions remain regarding the above matters, please contact Applicant's representative, Andrew D. Meikle, in the Washington metropolitan area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

The paragraph starting at page 6, line 6 has been modified as follows.

--Figure 1 is a [diagram] cross-sectional view showing how regrowth proceeds on a pattern according to the prior art.--

The indentation starting at page 6, line 12 has been modified as follows.

--The denotations used in figure 1 are as follows.

1: a layer (base layer) formed from first III-V compound semiconductor made of high crystal defect density compound semiconductor

2: a pattern formed from material different from first and second III-V compound semiconductors made of, for example, SiO₂

3: a crystal layer (regrown layer) formed from second III-V compound semiconductor wherein the crystal layer has flattened out.

3a): selective growth in microscopic opening

3b): crystal growth beginning to spread over the second III-V compound semiconductor

3c): crystal growth further spreading out over the second III-V compound semiconductor

3d): crystal growth, which has completely grown over the second III-V compound semiconductor.--